

House Daily Reader

Tuesday, January 27, 2004

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State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

159J0065

HOUSE TAXATION COMMITTEE ENGROSSED NO.

HB 1005 - 01/22/2004

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Hargens, Christensen, Davis, Hackl, Hanson, Hundstad, Koistinen, McCoy, Weems, and Wick and Senators Symens, Albers, Dempster, Kleven, and Knudson at the request of the Interim Committee on Property Tax Exemptions

1 FOR AN ACT ENTITLED, An Act to require counties to determine the unreserved general
2 fund balance at certain times of the fiscal year and to publish and report this information.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 7-21-18.1 be amended to read as follows:

5 7-21-18.1. The total ~~unobligated~~ unreserved fund balance of ~~all funds~~ the general fund may
6 not exceed forty percent of the total amount of all general fund appropriations contained in the
7 budget for the next fiscal year. The total unreserved fund balance of the general fund of the
8 county as of March thirty-first and September thirtieth shall be published in the minutes of the
9 proceedings of the board of county commissioners and reported to the Department of Legislative
10 Audit. The report shall be on forms prescribed by the Department of Legislative Audit.



State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

400J0329

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1028** - 01/23/2004

Introduced by: The Committee on State Affairs at the request of the Bureau of Information
and Telecommunications

1 FOR AN ACT ENTITLED, An Act to remove certain restrictions on the Bureau of Information
2 and Telecommunications regarding state communications.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 1-13-1 be amended to read as follows:

5 1-13-1. The Bureau of Information and Telecommunications may purchase the necessary
6 apparatus and equipment to construct or establish a ~~broadcasting station at the state capitol at~~
7 ~~Pierre, South Dakota, which broadcasting station shall be used solely for the transmission of~~
8 ~~state business and information~~ state communications system which shall be used solely for the
9 transmission of business and information for state, federal, and local government and other
10 public safety entities. The bureau may also purchase receiving sets in such quantities as may be
11 most economical to facilitate the speedy transmission of messages and state information.

12 The bureau is charged with the operation and maintenance of the ~~broadcasting station~~ state
13 communications system.



State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

455J0395

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1073** - 01/23/2004

Introduced by: The Committee on State Affairs at the request of the Public Utilities
Commission

1 FOR AN ACT ENTITLED, An Act to establish a consumer compensation and education fund
2 related to telecommunication services and to provide for expenditures from the fund.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The commission shall establish a consumer compensation fund. The fund shall be used to
7 compensate consumers who paid for telecommunications services that a telecommunications
8 company failed to provide or for consumer education. Any civil fines collected pursuant to
9 §§ 49-31-7.4, 49-31-38, and 49-31-38.1 shall be credited to the consumer compensation fund
10 which is hereby established in the state treasury. Any interest earned on money in the fund shall
11 be deposited in the fund. The money is continuously appropriated to the use of the commission
12 to compensate consumers or provide consumer education. The commission may promulgate
13 rules, pursuant to chapter 1-26, regarding procedures on how consumers may obtain
14 compensation from the fund and regarding methods for consumer education.



State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

455J0396

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED NO. **HB 1074** - 01/23/2004

Introduced by: The Committee on State Affairs at the request of the Public Utilities
Commission

1 FOR AN ACT ENTITLED, An Act to prohibit the providing of false or misleading information
2 to the Public Utilities Commission and to provide a penalty therefor.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 49-1 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No person may knowingly provide false or misleading information to the commission in
7 response to, or in compliance with, any statute, order, tariff, rule, direction, demand, or
8 requirement of the commission. A violation of this section is a Class 1 misdemeanor. Each
9 separate act of providing false or misleading information pursuant to this section constitutes a
10 separate offense. This penalty is in addition to any other authorized penalties.



State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

483J0152

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1105** - 01/22/2004

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Hennies, Bartling, Bradford, Davis, Elliott, Hunhoff, Kroger, LaRue, McLaughlin, Murschel, and Solum and Senators Ham-Burr, Abdallah, Bogue, de Hueck, Duenwald, Duniphan, Earley, Greenfield, Knudson, Nachtigal, Reedy, Sutton (Dan), and Vitter

1 FOR AN ACT ENTITLED, An Act to permit certain temporary on-sale licenses to be issued
2 by municipalities and counties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 35-4-11.4 be amended to read as follows:

5 35-4-11.4. Any municipality or county may issue a special malt beverage retailers' license
6 ~~and, a special retail on-sale wine dealers' license, and a special on-sale license, notwithstanding~~
7 the provisions of §§ 35-4-11, 35-4-11.1, and 35-4-19, to any civic, charitable, educational, or
8 fraternal organization in conjunction with a special event within the municipality or within the
9 county. Educational does not include any elementary, secondary, or higher educational
10 institution in the public school system of this state. No public hearing is required for the
11 issuance of a license pursuant to this section if the individual applying for the license holds an
12 alcoholic beverage license in the municipality or county or holds an operating agreement for a
13 municipal alcoholic beverage license. Any license issued pursuant to this section may be issued



1 for a period of time established by the municipal governing body or board of county
2 commissioners. However, such period may not exceed fifteen consecutive days. If an
3 organization receiving a license pursuant to this section conducts a street dance in conjunction
4 with the special event, the organization shall provide qualified security personnel as deemed
5 necessary by the governing body which issued the license to maintain order during the street
6 dance.

7 Section 2. That § 35-4-11.5 be amended to read as follows:

8 35-4-11.5. Any license issued pursuant to § 35-4-11.4 shall be issued to the organization and
9 location specified on the application. Notwithstanding subdivisions ~~35-4-2(12)~~ 35-4-2(4), (6),
10 (12), and (16), the governing body or the board of county commissioners, as appropriate, shall
11 determine the fee for this license, which may not exceed fifty dollars per day. Each application
12 shall be accompanied by the fee prior to consideration by the governing body or board of county
13 commissioners. Notwithstanding § 35-5-21.1, the fee provided for in this section shall be
14 retained by the governing body or board of county commissioners issuing the license.